

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Civil Action No.: 1:22-CV-7784

CG, an infant by his mother and natural guardian,
AURORA J. GEORGES and
AURORA J. GEORGES, individually,

**INFANT'S COMPROMISE
ORDER**

Plaintiffs,

-against-

TARGET CORPORATION,

Defendant.

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Upon the reading and filing of the affirmation of ALBERT R. MATUZA, JR., dated August 9, 2023; the petition of AURORA J. GEORGES, the mother and natural guardian of the infant-plaintiff C.G., duly sworn to the 3rd day of August, 2023; the Brookdale University Hospital records; the report of Dr. Douglas Monasebian, dated January 30, 2023; and the records of Dr. David Paul Cabbad; and their attorneys, SACCO & FILLAS, LLP, having appeared before this Court on the 14th day of December, 2023; and it appearing that the infant-plaintiff was born on August 20, 2015; and that the infant-plaintiff will be served by approval of the within papers; and due deliberation having been had thereon,

NOW, on motion of SACCO & FILLAS LLP, attorneys for the plaintiffs herein, it is
ORDERED, that AURORA J. GEORGES, the mother and natural guardian of the infant-plaintiff, C.G., discontinues her claim for loss of services and/or medical expenses and is hereby

authorized and empowered to enter into a compromise of the infant's cause of action and to settle said action of the infant-plaintiff, for the sum of TEN THOUSAND and 00/100 DOLLARS (\$10,000.00), to be paid by the defendant in this action, conditioned upon compliance with the following provisions, to execute a general release and to sign all papers necessary to accomplish this settlement, and it is further

ORDERED, that out of the said sum, the defendant is authorized and directed to pay to SACCO & FILLAS, LLP, attorneys for the plaintiffs herein, the sum of \$3,333.33 as their entire attorney's fees, plus disbursements of \$1,741.37 in the infant's-plaintiff's cause of action, totaling FIVE THOUSAND SEVENTY-FOUR and 70/100 DOLLARS (\$5,074.70); and it is further

ORDERED that, the sum of TWO HUNDRED SIX and 49/100 DOLLARS (\$206.49) shall be paid to the New York State Department of Health, as and for the full and final payment of the New York State Medicaid lien for expenditures made on behalf of the infant; and it is further

ORDERED, that the balance of the sum of FOUR THOUSAND SEVEN HUNDRED EIGHTEEN and 81/100 DOLLARS (\$4,718.81) be paid by defendant, TARGET CORPORATION, to and received by AURORA J. GEORGES, the mother and natural guardian of C.G., an infant under the age fourteen (14) years, jointly with an officer of the following bank, and shall be deposited as follows:

Chase Bank located at 1599 Flatbush Avenue, Brooklyn NY 11210.

ORDERED, said funds shall be deposited in the above bank in the name of AURORA J. GEORGES, the mother and natural guardian, for the sole use and benefit of the infant-plaintiff, in an account paying the highest rate of interest available. Time deposit accounts shall be subject to renewal upon maturity, except that the date of maturity shall not extend beyond the date when said infant attains that age of eighteen (18) years, except upon further Order of the Court, and it is further

ORDERED that, no withdrawals shall be made from said account before the infant reaches the age of eighteen (18) years, except by further order of this Court; and it is further

ORDERED that, the date of the maturity of the account shall not be extended beyond the infant's-plaintiff's eighteenth (18th) birthday, and shall be continuously renewed, and when no such account is available due to the infant's-plaintiff's age, the accumulated funds shall then be placed in an insured, savings, interest-bearing account to be held until the infant reaches the age of eighteen (18) years and makes a demand for the monies; and it is further

ORDERED, that the said bank shall, upon presentment of proper proof and upon the infant's-plaintiff's demand therefor, and without further Court Order, pay over to the infant-plaintiff when he reaches the age of 18 years, all moneys held upon presentation of proper proof of age, and it is further

ORDERED that, in the event that the amount on deposit exceeds the then prevailing Federal Deposit Insurance limits, the officer-trustee of said bank and the infant's-plaintiff's guardian(s) herein are directed to notify the Court so that a further designation of an additional depository may be made in order to keep the amount within federally insured limits; and it is further

ORDERED that, the attorney for plaintiff(s)/petitioner(s) shall serve a copy of this order upon said Bank and shall arrange for the deposit of said funds as expeditiously as is reasonably possible; and it is further

ORDERED that, within thirty (30) days of the deposit of said funds in the above-designated bank, a copy of proof of the deposit shall be filed with the Court with all confidential personal information redacted, including the infant's-plaintiff's full name and the account number, except for the last four digits; and it is further

ORDERED, that the filing of a bond be dispensed with, and it is further

ORDERED, that no partial withdrawals will be made unless the Order directing same bears the raised seal of the Court, and it is further

ORDERED, that upon full compliance with the terms of this Order, the parent be and is hereby authorized and empowered to execute and deliver to the defendant, a General Release on behalf of the infant-plaintiff, and to deliver any and all other instruments necessary to effectuate the settlement herein.

s/ James R. Cho

James R. Cho
U.S. Magistrate Judge